

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JERMAIN HAYTHE,

Plaintiff,

-against-

THE CITY OF NEW YORK; COMMISSIONER MARTIN  
F. HORN; CORRECTIONS CAPTAIN JOHN DOE # 1;  
C.O. LAW; C.O. MORGAN; and C.O. JOHN DOES # 1-5;  
the individual defendants sued individually and in their  
official capacities,

Defendants.

**DECLARATION OF SERVICE  
OF SUMMONS AND  
COMPLAINT ON  
DEFENDANTS CITY OF  
NEW YORK & MARTIN F.  
HORN**

07 CV 8349 (RHB) (MHD)

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I, MICHAEL OLIVER HUESTON, declare, pursuant to 28 U.S.C.  
§ 1746, under penalty of perjury as follows:

1. I am not a party to this action, I am over 18 years of age, and I  
reside in the State of New York. On December 27, 2007, at approximately 1:40 p.m., I  
served the summons and complaint in this matter on defendants CITY OF NEW YORK  
and MARTIN F. HORN by delivering a copy of same to DEPUTY UNIT CHIEF  
TERRY BRADSHAW, a person of suitable age and discretion at defendants' place of  
business, within the state, at LAW DEPARTMENT OF THE CITY OF NEW YORK,  
100 Church Street, New York, New York. This person is a Black male, approximately  
45 years old, and approximately 5' 10" tall.

2. Thereafter, on December 27, 2007, I mailed a copy of the  
summons and complaint post paid by first class mail properly addressed to the defendants  
at the aforementioned address in an envelope marked personal and confidential and not  
indicating that the communication was from an attorney or concerned an action against  
the defendants and deposited said envelope in a post office official depository under  
exclusive care of the United States Postal Service.

Dated: New York, New York  
December 27, 2007

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MICHAEL O. HUESTON (MH 0931)  
350 Fifth Avenue, Suite 4810  
New York, New York 10118